B. THE GOVERNMENT OF BEIRUT

Upon the establishment of the mandatory regime, the government of Beirut was functioning under a municipal council, half of whose members had been elected in 1912. Although their tenure of office had expired in 1916, they were still functioning, as no new elections had been held. Partly on this ground and also because of the objection that the council as constituted did not satisfactorily represent the various religious sects, the council was dissolved in 1920 and an administrative commission appointed.[1] Municipal government was still being carried on under the provisions of the Ottoman Vilayet Municipal Law of October 5, 1877. In 1922 this regime was replaced by the new municipal code promulgated by Arrêté No. [illegible] of March [illegible] 1922.[2]

In 1926 the government appointed a commission to study the special problems of administration arising out of the fact that Beirut was the capital of the Lebanon and the seat of the French High Commission, the largest city in the country, and composed of a highly heterogeneous population. This commission proposed the reorganization of the Beirut administrative machinery under a special decree differing in several respects from the general municipal code. This proposal was adopted and the Beirut Municipal Law was promulgated on July [illegible], 1926 (in Arrêté No. [illegible]).[3] In its general outlines the new law follows the principles of the general code of 1922. The points of difference alone will be treated in the following pages.

Status of Mayor.

The municipality of Beirut had always been classified as one of the principal administrative divisions of the Lebanon, ranking as a [illegible] under the earlier laws and as a district under the [illegible]

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[1] Arrêté No. [illegible], July [illegible], 1920, Recueil des Arrêtés et Décisions de la Haute Commission, Gouvernement du Liban, Beyrouth, [illegible], p. [illegible].

[2] Supra, p. [illegible].

[3] [illegible], No. [illegible], pp. [illegible].

[illegible] effected under Decree-Law No. 5 of February 6, 1962.[1] Under the new municipal charter the administration became the mayor as president of the municipal council,[2] a position which had been abolished under the preceding regime.[3]

Thus the Mayor of Beirut has final authority in all matters of appointment and dismissal from the municipal services;[4] he receives the resignations of municipal councillors[5] or assistant-mayors;[6] he has power to dissolve any councillor who, after election, is found to be ineligible[7] or who fails to comply with the law concerning attendance at council meetings.[8] On the other hand certain functions which ordinarily fall to the administration in the case of Beirut are exercised directly by the central authorities. For example, the Minister of the Interior may require a second deliberation of matters brought before the council at a special meeting on grounds of urgency;[9] he receives directly the records of all council meetings;[10] orders of the mayor are not executory until approved by the Minister;[11] any expenses not provided for in the budget must receive his approval;[12] and the services and accounts of the municipality are open to inspection and verification by his agents at any time.[13]

The mayor receives a salary from the central government the amount of which must be inscribed in the municipal budget and paid in to the national treasury.[14]

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[1] Supra, pp. [illegible]

[2] [illegible]

[3] [illegible]

[4] [illegible]

[5] Ibid., Art. [illegible] Cf. Supra, p. [illegible]

[6] Ibid., Art. [illegible]

[7] Ibid., Art. [illegible] Cf. Supra, p. [illegible]

[8] Ibid., Art. [illegible] Cf. Supra, p. [illegible]

[9] Ibid., Art. [illegible] Cf. Supra, p. [illegible]

[10] Ibid., Art. [illegible] Cf. Supra, p. [illegible]

[11] Ibid., Art. [illegible] Cf. Supra, pp. [illegible]

[12] Ibid., Art. [illegible]

[13] Ibid., Art. [illegible]

[14] Ibid., Art. [illegible] He is the only mayor receiving a salary in his capacity as municipal executive.

Composition of the Councils

The constitution of the Beirut municipal council differs in several respects from those of other municipalities. In the first place, it has a larger membership in order to secure representation for the many sects represented in its constituency. Originally constituted with [illegible] elected members, it was enlarged by Arrêté No. [illegible] of April [illegible], [illegible], to contain [illegible] elected members.[1] The seats are distributed among the different sects as follows: —

[illegible] Sunni Moslems	[illegible] Shiite Moslem or Druze
[illegible] Maronites	[illegible] Representative of minority sects
[illegible] Greek Orthodox	[illegible] Representatives of foreigners (nationals of states members of the League of Nations, or of the United States).

The members of the council are elected by direct universal suffrage of all male inhabitants of the city having the qualifications required by the national electoral law,[2] except that no distinction is made on the basis of nationality or sect.[3] By amendment in [illegible], this provision was changed so that the Lebanese members are elected by their own nationals, the foreign members being elected separately by the inhabitants of foreign nationality.[4] In actual practice no elections have been held under the new law, the council having been dissolved in 1939 and a commission appointed which has been renewed annually since that date. Members of the foreign diplomatic and consular corps and any persons in their employ are ineligible for election to the municipal council.[1]

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[1] Jour. Off. No. [illegible] [illegible] p. [illegible]

[2] Arrêté No. [illegible] [illegible] [illegible]

[3] The provision for the representation of foreigners in the municipal council was strongly opposed in the representative chamber on the grounds that there was no precedent for such action, that foreigners had no right to participation in the internal affairs of the country, and that it would serve no useful purpose. The arguments supporting it, advanced in debate and in the report of the drafting committee, were (1) that the foreign communities were deeply rooted in the country and that, being subjected to municipal taxation, [illegible] (2) that their participation would encourage the interest and cooperation of foreign residents in the development of the city; (3) that their presence on the council would strengthen the financial credit of the municipality; and (4) that it might aid in [illegible] the world of a readiness for a greater degree of self-government [illegible] toward foreign interests. In the original draft it was proposed to have one French member, one American, and one from the other foreign groups. As adopted, the law provided for one French member and two from the other groups. By Arrêté No. [illegible] of April [illegible], [illegible], this was changed to provide for four foreign members, not more than one of whom should represent the same national group. As no elections have yet been held under the new law, the city having been governed by an appointed commission [illegible], the foreign members have been appointed by the President of the Republic upon the recommendations of the Consular Corps. In actual practice the foreign members have been appointed from the following national groups: French, English, and Italian.

[4] Arrêté No. [illegible], March [illegible], [illegible], Jour. Off. No. [illegible] and Arrêté No. [illegible], Art. [illegible]

Operation of the Council

If the council is reduced by vacancies to twelve members, including the mayor, a new election must be held within one month, unless the next regular election would occur within six months, when a subsidiary election is held only if the council has lost six of its members.[2]

In case the council is dissolved, it is replaced by a special delegation composed of five members, only one of whom may be of foreign nationality. This delegation exercises all the powers of the council except that of deliberating on the municipal budget, taxes or loans. In such cases of dissolution the government must call an election within three months.[3]

The council must meet at least once every two weeks with special meetings on call of the mayor.[4] A quorum consists of eight members. If a quorum is lacking due to the ineligibility of at least five members owing to personal interest in the matter under deliberation, the council may proceed providing at least six members are present. All voting, except for nominations and appointments, is by roll call and must be recorded in the minutes.[5]

Powers of the Council

The Beirut council is invested with all the powers appertaining to the ordinary municipal councils under the general law and in addition is empowered (1) to fix the tariff for public conveyances of all kinds, (2) to make provision for the poor and (3) to pass on all projects of construction, reparation, or demolition which must be submitted to the council in the interests of public safety and hygiene. Its decisions in these matters are subject to veto by the central government.[1] Likewise the council is authorized to supervise all public services of the city, its deliberations on these matters not having executory character until approved by the central government.[2]

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[1] Arrêté No. 2075, loc. cit., Art. 8.

[2] Ibid., Art. 17. Cf. Supra, p. 17.

[3] Ibid., Art. 18. This article has been practically nullified by having the dissolution effected by enactment of the Chamber of Deputies instead of by administrative decree under the authority of the municipal law. Thus the requirement of new election within three months has been avoided with a practical suspension of popular participation in municipal government by the expedient of repeatedly postponing the elections. The most recent postponement was in March, 1943.

[4] Ibid., Art. 23.

[5] Ibid., Art. 25.

Publication or veto of any act of the council follows the same procedure as in the general code except that all references to the administrator, who in this case is the mayor, are transferred directly to the President of the Republic.[3]

In contrast to the provisions of the general code, the Beirut charter provides that the assistant mayors shall be elected by the council for a period of one year and are eligible for reelection. Their election takes place the first week of April. In case of either office falling vacant, a new officer is elected for the duration of his predecessor's term.[4] The assistant mayors serve without pay.[5]

Budgetary Procedure

The annual budget must be voted by the council before the 15th of November. It is not executory until approved by the Minister of the Interior. If not approved before the beginning of the new fiscal year, the budget of the preceding year continues to serve as the basis for fiscal operations until the new budget comes into force.[6] No expenses unprovided for in the budget may be incurred without the express approval of the Minister. Likewise no deductions may be made from the reserve for contingencies without similar approval.[7]

The final accounts for the year must be reported and explained to the council in February and after examination and approval are forwarded to the Ministry of Finance for audit. They must be published in the Official Journal, likewise the budget and the accounts for the first semester.[8]

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[1] Arrêté No. [illegible], loc. cit., Art. [illegible]

[2] Ibid., Art. [illegible]

[3] Ibid., Art. [illegible], etc. Cf. Supra, p. [illegible]

[4] Ibid., Art. [illegible]. Cf. Supra, p. [illegible]

[5] Ibid., Art. [illegible]

[6] Ibid., Art. [illegible]

[7] Ibid., Art. [illegible]

[8] Ibid., Art. [illegible]. An examination of the Official Journal shows that this provision has not been enforced.

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The arrangement of the budget and the accounting system must[1] follow the regulations of the central government. All municipal services and accounts are open at all times to inspection and verification by its agents.

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[1] [illegible]

Appendix [illegible].

BUDGET OF BEIRUT — [illegible]

RECEIPTS

Chapter I.

	L. Syrs.
Tax on buildings	[illegible]
Transfer	[illegible]
Vehicle tax	[illegible]
Dog tax	[illegible]
	L. Syr. [illegible]

Chapter II.
Indirect Taxes

Liquor tax	[illegible]
Tax on sale of [illegible]	[illegible]
Tax on coffee houses, [illegible], cinemas and theatres	[illegible]
Tax on [illegible]	[illegible]
Tax on [illegible]	[illegible]
Tax on slaughtering	[illegible]
Tax on [illegible]	[illegible]
Tax on weighing	[illegible]
Tax on auctions	[illegible]
Tax on animal sales	[illegible]
Tax on inflammables (storage)	[illegible]
Tax on building permits	[illegible]
[illegible] tax	[illegible]
Tax on motor transport	[illegible]
Tax on [illegible]	[illegible]
Tax on inflammables (consumption)	[illegible]
Miscellaneous	[illegible]
	L. Syr. [illegible]

Chapter III.
Revenues from Municipal Domains

Rents and miscellaneous	[illegible]
	L. Syr. [illegible]

[illegible]

[illegible]

Chapter IV.
Miscellaneous Revenues

	L. Syr.
Tax for sanitary visits	[illegible]
Tax on licenses of prostitution	[illegible]
Fines	[illegible]
Interest on bank funds	[illegible]
Miscellaneous	[illegible]
	L. Syr. [illegible]

Chapter V.

Tax on [illegible]	[illegible]
Tax on special parking permits	[illegible]
	[illegible]
Grand Total	L. Syr. [illegible]

EXPENDITURES

Chapter I.
Administration and Salaries

Administrative service	[illegible]
Bookkeeping	[illegible]
Technical service	[illegible]
Fire service	[illegible]
Inspection service	[illegible]
Sanitary service	[illegible]
[illegible] service	[illegible]
Reserves	[illegible]
	L. Syr. [illegible]

Chapter II.
Material

Rents and repairs of furniture	[illegible]
Furniture, newspapers, printed matter	[illegible]
Cleaning and spraying	[illegible]
Lighting	[illegible]
Fire service	[illegible]
Water	[illegible]
Expenses office on works	[illegible]
Assessments	[illegible]
Guardians	[illegible]
	L. Syr. [illegible]

633
667

Chapter III.
Communal Domain.

	L. Syrian
Taxes	3,000
Repairs and insurance	3,000
	L. Syr. 6,000

Chapter IV.

Debt Reversement and Miscellaneous.

Debts regulation	1,000
Reversement to treasury	4,000
Miscellaneous reversements	1,000
Reversements on scales tax	8,500
Police expenses	10,000
Public instruction	3,500
Carracols and police stations	1,000
Salaries to inspectors of administrative service	4,000
Court expenses	4,000
Expenses for lodging	3,000
Expenses for elections and printed material	80
	L. Syr. 40,080

Chapter V.

Work, Repairs and Working Instruments.

Roads and avenues	125,000
Repairs of roads with tramways	3,000
Gardens, squares, plantations	12,000
Expropriations for roads	30,000
Building construction	3,000
Barta Road	15,300
Covering roads with tar	62,000
Garage construction	25,000
Tiles	4,000
Miscellaneous	40,000
	L. Syr. 319,300

633
651

Chapter VI.

Miscellaneous Expenses.

Regulation of prostitution	6,500
Receptions	2,000
Care of paupers	4,000
Numbering houses, shops and naming roads	1,200
Museums	2,000
Miscellaneous	2,000

L. Syr. 17,700

Chapter VII.

Reserve.

	L. Syrian
Emergency reserve	12,870

L. Syr. 12,870

Grand Total L. Syr. 780,825